UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,326	01/14/2002	Laurent Roullet	Q68075	6676

23373	7590	10/18/2006	

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EXAMINER
QURESHI, AFSAR M

ART UNIT	PAPER NUMBER
2616	

DATE MAILED: 10/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/043,326	ROULLET ET AL.
	Examiner	Art Unit
	Afsar M. Qureshi	2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 August 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☒ All b)☐ Some * c)☐ None of:

　　　1.☒ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

10/12/06

Response to Amendment

1.   This office action is responsive to Amendment/Remarks received on

8/28/2006.

Response to Arguments

2.   Applicant's arguments filed on 8/28/2006 have been fully considered but

they are not persuasive.

Applicant referred to the argument submitted in a previous (2/15/2006)

"Amendments/Remarks", i.e., " a mixer (M) adapted to detect the empty

information cells and replace them with waiting cells". This argument has been

clearly responded to in the Office Action, dated 4/27/2006, on page 3, paragraph

2, as set out below (see col.5, lines 29-49 of Lee '720). The Examiner contends

that, in its broadest interpretation of the above limitation, the process-after-

standby type cell processor 23 that checks [detects] the empty state and

replaces them with the input cells [waiting cells] is functionally the same as

claimed herein.

Argument in reference to claims 2 and 5, " a deleter (D) for deleting an

information cell stored in said mass memory when it has been sent by said

transmitter to said receiver" is discussed in the Office Action, page 4, second

paragraph.

The Examiner contends that the cited art. Lee '720 reads on limitations

argued in Remarks, dtd. 8/28/2006, and maintains the rejection of claims 1-6 as

below.

3.   **The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.**

4.   Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee (US Pat. No. 5,574,720.)

Regarding claims 1 and 4.   Lee teaches a relay and a method for use in telecommunications equipment (Fig. 3, the suppression apparatus would be a relay system for use in telecommunications equipment since suppression apparatus is used to control traffic output. The traffic could be several networks in the traffic flow. Any one of the networks could be a relay of traffic. Thus, the suppression apparatus could be interpreted as a relay telecommunications equipment as claimed. See Fig. 3, Lee.), said comprising:

a receiver (R) adapted to receive an information stream consisting of information cells, some of which can be empty, (Input Cell Classification Processor 21 receives an information stream consisting of information cell. The real time cell would go to cell processor 22. The stand-by cell would go to process after standby type cell processor 23. See Fig. 3, Lee In addition, Input Cell Classification Processor 21 receives the cell information include cell loss priority information, which could include the empty and nonempty cells in general. See col. 2, lines 1-8, Lee.)

a mixer (M) adapted to detect the empty information cells and replace them with waiting cells, and (the process-after-standby type cell processor 23 checks whether a cell buffer of the cell temporary storage device is in an empty

state. If it is an empty cell, which would be empty information cells as claimed,

the processor 23 passes the input cell, which is standby cell. See col. 5, lines 37-

43, Lee.)

a transmitter (E) adapted to transmit the information cells (a cell output

processor 19 transferring output cells to the network node interface means 4.

See Fig. 2-3.), which relay is characterized in that it further comprises a stream

analyzer (A) for determining if an information stream received by said receiver is

a real-time information stream or a differed-time information stream and for

storing differed-time information stream cells in a mass memory (MM) and in that

said mixer is adapted to choose said waiting cells from among the cells stored in

said mass memory (The classifier 12, could be interpreted as a stream analyzer,

determined if received stream is a real-time information or a standby (differed-

time) information. The distributor 16, could be interpreted as a mass memory,

and stored the incoming standby cell from input cell classification processor 21.

The process-after-standby type cell processor 23 would take the output from

distributor as the waiting cell for the empty cell. See Fig. 3 and col 4, lines 50-61,

Lee.)

Lee does not specifically teach a transmitter transmit the information cells

to a receiver outside telecommunication satellite.

However, the information cells are often used to communicate between

the two communication systems. As far as a receiver outside telecommunication

satellite, such as roaming system, are also well known in the art. Thus, it would

have been obvious to one who has ordinary skill in the art at the time the

invention was made to transmit the information cells to a receiver outside

telecommunication satellite because the communication would required

transmitter and receiver to establish a communication and the receiver could be

outside of network, such as roaming system in order to successful communicate

with other device.

Regarding claims 2 and 5,   Lee teach the method and apparatus of claims

1 and 4; however, Lee does not specifically teach a deleter (D) for deleting an

information cell stored in said mass memory when it has been sent by said

transmitter to said receiver. However, Lee teaches the process-after —standby

type cell processor 23 outputs a cell. previously stored in the cell buffer and

stores the input cell in the cell buffer. The cell buffer is a temporary storage

device 17. (See Fig. 3 and col 5, lines 39-49) The temporary storage device

would be obviously having an deleting function to delete the cell information

when the cell has been sent. Thus, it would have been obvious to one who has

ordinary skill in the art , at the time the invention was made to delete an

information cell after it has been set because Lee teaches temporary storage

device 17 (Fig. 3.)

Regarding claims 3 and 6,   Lee teaches the mixer is adapted to choose

said waiting cells as a function of time scheduling rules (Lee teaches the input

cell of processor 23 is under first-in-first-out process, and Lee also teaches

choosing the input cell of processor 23 to the empty cell. By first-in-first-out

process, Lee teaches choosing waiting cells as a function of time scheduling
rules. See col 4, lines 4-7, and col 5, lines 37-43, and Fig. 3, Lee.).

5.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the
extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire
THREE MONTHS from the mailing date of this action. In the event a first reply is
filed within TWO MONTHS of the mailing date of this final action and the advisory
action is not mailed until after the end of the THREE-MONTH shortened statutory
period, then the shortened statutory period will expire on the date the advisory
action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be
calculated from the mailing date of the advisory action. In no event, however, will
the statutory period for reply expire later than SIX MONTHS from the mailing
date of this final action.

6.   Any inquiry concerning this communication or earlier
communications from the examiner should be directed to Afsar M. Qureshi
whose telephone number is (571) 272 3178. If attempts to reach the examiner
by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be
reached on (571) 272 7488. The fax phone number for the organization where
this application or proceeding is assigned is 571-273-8300. Information regarding
the status of an application may be obtained from the Patent Application
Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov.

Should you have questions on access to the Private PAIR system, contact the

Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like

assistance from a USPTO Customer Service Representative or access to the

automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-

272-1000.

AFSAR QURESHI
PRIMARY EXAMINER

10/12/2006